

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

EMPLOYERS AND OPERATING ENGINEERS )  
LOCAL 520 PENSION FUND, et al., )

Plaintiffs, )

vs. )

Case No.: 04-572-DRH

KROESCHEL BACKHOE SERVICE, INC., )

Defendant. )

**STIPULATION FOR ENTRY OF CONSENT JUDGMENT**

Come now the parties through counsel, and hereby stipulate to the entry of judgment on the following terms:

1. Judgment shall be entered in favor of plaintiffs and against defendant in the amount of \$27,537.28, as and for fringe benefit contributions and liquidated damages owed by defendant to plaintiffs for the period of October 2003 through the present, as well as the balance of the prior judgment due.

2. Execution on this judgment shall be stayed so long as defendant complies with paragraphs 3 and 4, below.

3. Defendant shall pay the judgment amount set forth in paragraph 1 pursuant to the following schedule:

- a. \$500.00 on or before June 15, 2005;
- b. \$500.00 on or before July 15, 2005;
- c. \$500.00 on or before August 15, 2005;
- d. \$500.00 on or before September 15, 2005;
- e. \$500.00 on or before October 15, 2005;
- f. \$500.00 on or before November 15, 2005;
- g. \$500.00 on or before December 15, 2005;

- h. \$500.00 on or before January 15, 2006;
- i. \$500.00 on or before February 15, 2006;
- j. \$500.00 on or before March 15, 2006;
- k. \$500.00 on or before April 15, 2006;
- l. \$500.00 on or before May 15, 2006;
- m. \$500.00 on or before June 15, 2006;
- n. \$500.00 on or before July 15, 2006;
- o. \$500.00 on or before August 15, 2006;
- p. \$500.00 on or before September 15, 2006;
- q. \$500.00 on or before October 15, 2006;
- r. \$500.00 on or before November 15, 2006;
- s. \$500.00 on or before December 15, 2006;
- t. \$500.00 on or before January 15, 2007;
- u. \$500.00 on or before February 15, 2007;
- v. \$500.00 on or before March 15, 2007;
- w. \$500.00 on or before April 15, 2007;
- x. \$500.00 on or before May 15, 2007;
- y. \$500.00 on or before June 15, 2007;
- z. \$500.00 on or before July 15, 2007;
- aa. \$500.00 on or before August 15, 2007;
- bb. \$500.00 on or before September 15, 2007;
- cc. \$500.00 on or before October 15, 2007;
- dd. \$500.00 on or before November 15, 2007;

ee. \$500.00 on or before December 15, 2007;  
ff. \$500.00 on or before January 15, 2008;  
gg. \$500.00 on or before February 15, 2008;  
hh. \$500.00 on or before March 15, 2008;  
ii. \$500.00 on or before April 15, 2008;  
jj. \$500.00 on or before May 15, 2008;  
kk. \$500.00 on or before June 15, 2008;  
ll. \$500.00 on or before July 15, 2008;  
mm. \$500.00 on or before August 15, 2008;  
nn. \$500.00 on or before September 15, 2008;  
oo. \$500.00 on or before October 15, 2008;  
pp. \$500.00 on or before November 15, 2008;  
qq. \$500.00 on or before December 15, 2008;  
rr. \$500.00 on or before January 15, 2009;  
ss. \$500.00 on or before February 15, 2009;  
tt. \$500.00 on or before March 15, 2009;  
uu. \$500.00 on or before April 15, 2009;  
vv. \$500.00 on or before May 15, 2009;  
ww. \$500.00 on or before June 15, 2009;  
xx. \$500.00 on or before July 15, 2009;  
yy. \$500.00 on or before August 15, 2009;  
zz. \$500.00 on or before September 15, 2009;  
aaa. \$500.00 on or before October 15, 2009;

bbb. \$500.00 on or before November 15, 2009; and


ccc. \$537.28 on or before December 15, 2009.


4. If defendant fails to comply with paragraph 3, above, the entire judgment balance shall become immediately due. Defendant is to make payments as specified above, however, the plaintiffs shall not be permitted to use a late payment made within fourteen (14) days of the due date as a basis for calling the balance immediately due. Defendant may pay in advance any sums due and may specify that payments are being made in advance for specific due dates.

WHEREFORE, the parties stipulate to entry of a consent judgment according to the above terms.

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Attorney for Defendant

KROESCHEL BACKHOE SERVICE, INC.

By: Tim Kroeschel

SO ORDERED:

  
UNITED STATES DISTRICT JUDGE

Date: 6/23/05

7/8/2005